

REMARKS

Claims 1-3 were pending in the application. By this amendment, claim 1 is amended and claim 3 is canceled. Support for the amendment to claim 1 may be found in the specification and claims as originally filed. For example, support may be found in paragraphs [0009] through [0013] as originally filed. No new matter is added. Thus, claims 1 and 2 are pending and at issue.

Enclosed herewith is a petition for a one month extension of time and the required fee. Thus, this response is timely filed.

35 U.S.C. § 112 Rejections

Claims 1-3 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The applicants respectfully traverse the rejections and submit that they should be withdrawn.

Claim 3 is canceled, thus the rejection of claim 3 is moot.

Claim 1 is amended to correct typographical errors. The applicants respectfully submit that claims 1 and 2 were not indefinite under 35 U.S.C. §112, however, because a claim is considered definite as long as "the scope of the claims is clear so the public is informed of the boundaries of what constitutes infringement of the patent." *See* M.P.E.P. §2173. Nevertheless, the rejections of claims 1 and 2 for indefiniteness should be withdrawn in view of the amendments to claims 1 and 2 presented herein.

35 U.S.C. § 102 Rejections

The applicants respectfully traverse the rejections of claims 1 and 2 as anticipated by U.S. Patent No. 6,549,892 to Sansone ("Sansone"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987). Each of claims 1 and 2 recites a method for dispatching postal parcels comprising, in part, changing the delivery address according to a routine predefined by the recipient, whereby the routine is stored in a table and the table contains several delivery periods and delivery addresses. Sansone fails to disclose or suggest a table of any sort, let alone a table containing several delivery periods and delivery addresses.

Sansone discloses a method for dispatching postal items, each postal time having a unique code. The unique code is related to a current address of a recipient assigned to the

unique code. While the current address may be updated or changed, Sansone does not disclose or suggest storing more than one delivery address at a time, let alone associating different delivery addresses with different delivery periods. Sansone teaches that a data base 68 uses the unique code number to determine the actual destination of a letter and that this actual destination is "the address that the owner of the unique code is currently having their mail delivered to." *See* Sansone, col. 3, lines 53-58. There is simply no teaching in Sansone that the current address is in any way time dependent, or that multiple addresses may be associated with a single unique code. Because Sansone fails to disclose or suggest a method for dispatching parcels comprising, in part, a table containing several delivery periods and delivery addresses, none of claims 1 and 2 can be anticipated by Sansone. The applicants respectfully request withdrawal of the rejection of claims 1 and 2.

Additionally, each of claims 1 and 2 recites a method for dispatching parcels comprising, in part, delivery addresses that comprise at least one electronic parcel compartment system or a compartment of an electronic compartment system. Sansone fails to disclose an electronic compartment system of any sort. The examiner alleges that Sansone teaches "the delivery address as a function of free compartments of at least one parcel compartment system." *See* the official action, page 3. However, the examiner identifies no disclosure in Sansone supporting this allegation. The applicants have studied Sansone and find no reference to an electronic compartment system of any sort. Thus, the applicants respectfully request withdrawal of the rejection of claims 1 and 2 for the additional reason that Sansone fails to disclose or suggest an electronic compartment system of any sort.

An advantage to the method for dispatching parcels according to claim 1 is that a recipient may chose to receive a delivery at a workplace address during regular business hours (a first delivery period), and the recipient may chose to receive a delivery at an electronic parcel compartment system after business hours (a second delivery period). Thus, the recipient may receive delivery of a parcel at the most advantageous location depending on the time of day the parcel is delivered.

Additionally, the method of claim 1 advantageously changes the delivery address as a function of free compartments of an electronic compartment system. In other words, when a particular electronic compartment system is full (i.e., no free compartments), the method according to claim 1 chooses a different compartment system for delivery and notifies the recipient of the new compartment system. Thus, the method according to claim 1 is flexible in delivery to electronic compartment systems.


Conclusion

All rejections having been addressed, it is respectfully submitted that claims 1 and 2 are now in condition for allowance and a notice to that effect is earnestly solicited.

Should the examiner wish to discuss the foregoing or any matter of form in an effort to advance this application toward allowance is urged to telephone the undersigned at the indicated number.

Respectfully submitted,

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